



UTAH SUPREME COURT BOARD OF CONTINUING LEGAL EDUCATION

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David P. Hirschi
Chair

October 19, 2020

Sydney W. Kuhre
MCLE Board Director

Dear Utah Bar Members:

Over the past two years, the Supreme Court Board of Mandatory Continuing Legal Education ("Board") has been considering various changes to the Mandatory Continuing Legal Education Rules ("Rules") governing Utah licensed attorneys. We have heard from many of you regarding Rules that you would like to see changed, and we have worked with the Supreme Court in instigating changes that the Court has deemed necessary and appropriate to continue to carry out the mission of the Board to ensure access to quality continuing legal education to all members of the Bar.

You have either received or shortly will be receiving copies of the proposed Rule changes. The purpose of this letter is to give you some insight as to why the Board and the Supreme Court believe these changes are needed and appropriate at this time.

As a Board we have seen a few major issues relating to the current Rules that need to be addressed. First, there appears to be a great deal of confusion among Bar members relating to compliance cycles and the reporting of CLE hours on a timely basis. The Board has concluded that biennial compliance cycles are inherently confusing since we receive numerous calls each year from several members of the Bar trying to confirm their applicable compliance cycles. Second, many of us tend to procrastinate completion of the required CLE until late in the compliance cycle. With a two-year compliance cycle, we find that some attorneys try to "cram" the 24 required hours into a few months prior to the end of the cycle. This typically results in many members of the Bar taking CLE courses that have little or nothing to do with their area of practice or missing their compliance cycle deadlines. Accordingly, the Board has proposed and the Supreme Court has agreed to consider an annual reporting cycle of 12 hours per year for all Bar Members commencing with the compliance cycle beginning July 1, 2021.

Another reoccurring issue has been the lack of access to quality CLE programming, especially for lawyers practicing in rural communities or areas distant from the Wasatch Front, and for out-of-state practitioners. We have proposed to the Supreme Court and the Court has agreed to consider a number of changes to the

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CLE credits to be completed through a combination of self-study and verified e-CLE programming. Quality in-person courses will continue to be available, but attendance at in-person programming will no longer be required.

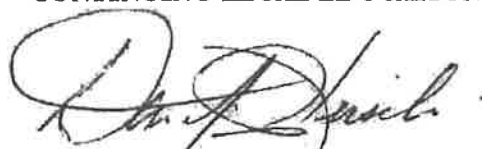
The wellbeing of attorneys practicing in Utah has always been a concern of the Supreme Court and the Bar. The Board has been working with the Court, the Utah Bar and the Bar's Well-Being Committee in incorporating into the Rules wellness topics that we believe will be beneficial to Bar members. Accordingly, the revised Rules proposed by the Board will allow ethics and professionalism credits to be earned through attendance at accredited CLE courses dealing with a variety of wellness and law office practice topics.

Other changes to the Rules proposed by the Board include (a) streamlining the Rules to make them more understandable and consistent with current Utah Bar regulations, (b) allowing for self-study credits for attorneys participating as presenters in a panel discussion, (c) allowing more flexibility in broadcast CLE programming, (d) clarifying and expanding the types of programs that qualify for Ethics and Professionalism and Civility CLE, and (e) allowing for legal specialty groups to earn some CLE credits by attending CLE programs designed specifically for, and limited to, those group members. In addition to the Rules affecting attorneys, the Board will also be submitting to the Supreme Court revised Licensed Paralegal Practitioner Rules.

The Board and the Supreme Court have spent considerable time and effort in developing these new proposed Rules. As a Board, it is our hope that you will review and consider the revised Rules carefully and provide your feedback to the Supreme Court and the Board. Please send your comments to:

<https://www.utcourts.gov/utc/rules-comment/>.

Very truly yours,
**UTAH SUPREME COURT BOARD OF
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A handwritten signature in black ink, appearing to read "David P. Hirschi", written in a cursive style.

David P. Hirschi, Chair